



**MAMMOTH LAKES FIRE PROTECTION DISTRICT
STATION 1, 3150 MAIN STREET
MAMMOTH LAKES, CA 93546**

**BOARD OF FIRE COMMISSIONERS
12 Noon, TUESDAY, JANUARY 21, 2020
MINUTES**

1) CALL TO ORDER – ROLL CALL

- a) *Board Members present: Bret Bihler, Vice Chair; Roger Curry, Commissioner; John Mendel, Chairman; Carole Schilz, Commissioner; Buck Wahl, Secretary*
- b) *MLFD staff present: Frank Frievalt, Fire Chief; Caroline Sanderson, Office Manager; Ales Tomaier, Division Chief; Scott Walker, Division Chief*
- c) *Legal Counsel present: Rick Liebersbach*

2) APPROVAL OF DECEMBER 17, 2019 MEETING MINUTES – *Buck Wahl moved to approve the minutes, Roger Curry seconded the motion, and the Board voted unanimously in favor.*

3) SPECIAL PRESENTATIONS

- a) *Chief Frievalt reported on the Joaquin Fire that occurred on the morning of the Board Meeting. He stated that the fire started at approximately 3:19am and that Ales Tomaier was the Incident Commander. He also stated that this was the first incident that included drone footage; however, the drone was mainly used after the incident was over as a component of the inspection.*
- b) *Ales Tomaier also reported out on the Joaquin Fire. He said that MLFD was paged out to what was reported as a fully involved condo fire at the Forest Creek complex. MLFD responded to Joaquin and had various other calls going on at the same time as the fire. Unit 3331 was on scene at Forest Creek quickly, staffed by Gilbert Lucero, Bobby Krogstie and several volunteers. At that time, two units in the five-unit structure were already fully involved. Ales was concerned that the fire would spread, so he requested assistance from June Lake Fire and Long Valley Fire. Ales explained that this was a “defensive operation.” The intent was to keep the fire from spreading to the other three units by applying large amounts of water from the exterior of the building. Ales also reported that CAL FIRE was still investigating, but initial reports were that all five units were unoccupied at the time of the incident; Ales emphasized that this had not been confirmed yet. He also mentioned that the crew had some issues with hydrants that had been painted so thickly that it was difficult to remove the caps. Still, MLFD was able to get six to seven streams of water on the fire, as well as the master stream from 3361. Several crews were sent inside to extinguish a few hot spots, and June and Lee Vining Fire arrived fairly early. Ales stated that he arranged for them to have some hose time with MLFD’s senior captains. Overall, Ales stated that the operation was handled well. He said that 61 had the perfect areal set-up and that the drone got some good post-incident footage.*

- i) *At this time, Scott Walker showed the drone footage to the meeting attendees. He pointed out the footage of the unit and wall where the fire was stopped, but also reiterated that the drone program was still in its infancy. He didn't believe we were "ready" for this incident in terms of drone use, but it was taken out anyway. Scott also mentioned that the photos and video of the incident actually came from the donated drone, not the newly purchased one.*
- ii) *Chief Frievalt commented that there could have been a totally different outcome to this incident if certain variables were in place, such as heavy winds, summer weather, and/or no mutual aid.*
- iii) *Bret Bihler mentioned that MLFD staff were still on scene around 11:00am, making sure the area was safe.*
- iv) *Roger Curry asked how many total personnel responded. Ales and Frank were not sure but estimated that there were approximately 19 MLFD staff present and 26 total responders on scene.*

4) GENERAL PUBLIC COMMENT

Any person may address the District Board on any subject pertaining to District business, which is not listed on the agenda. This comment is provided by the Ralph M. Brown Open Meeting Act (Government Code § 54950 *et seq.*) and may be limited to three (3) minutes for any person addressing the Board. Please complete a "Request to Speak" form and submit it to the District Clerk. – *None*

5) CONSENT AGENDA – *None*

6) BUDGET

- a) *Year to Date – Chief Frievalt read through the agenda items below, with the added comment that our projection from last year was fairly accurate*
 - i) *1st AB-8 disbursement for 2019-2020 was - \$2,083,218 (Page 11)*
 - (1) *This is typically 65% of annual total, estimated \$3,204,951*
 - (2) *Budgeted AB-8 Revenue was \$3,194,931; tracking very close*
- b) *Preliminary AB-8 projection for 2020-2021 – Chief Frievalt reported that we ended up slightly better, actually, than the projection from last year.*
 - i) *Approximately \$3,259,206*
 - ii) *Same projection for 2019-20 was \$3,032,056*
 - (1) *Final for 2019-2020 is \$3,172,116*

7) OLD BUSINESS

- a) *Financial Advisory Committee – composition status – Chief Frievalt reviewed the fact that the Board agreed to create a Financial Advisory Committee, and that he believes it's a good best practice. He stated that if Measure F passes, we'll need to drill down and report on those revenues. The committee would also be able to advise on the budget process going forward, and could help as we develop and transition to a new chart of accounts.*
 - i) *(2) Board Members – Commissioners Mendel, Curry*
 - ii) *(1) Fire Chief – Frievalt*

- iii) (1) Staff Member – TBD (by Chief Frievault) – *Chief Frievault reported that Ales Tomaier would be assigned to this.*
- iv) (1) Association Member – TBD (by Mike McCarthy) – *Chief Frievault said that this position had not been assigned yet.*
- v) (1) At Large Member – TBD (by Commissioner Mendel) – *John Mendel reported that this position had also not been assigned. John had a few questions for the group about the At Large Member, such as the type of position he or she should hold in the community and how high profile of a person we were looking for.*
 - (1) *Buck Wahl asked how much of a time commitment it would be, to which Chief Frievault replied that might just be quarterly meetings.*
 - (2) *There was some general discussion about political figures, and whether they might be a good fit, but Chief Frievault was cautious about people who might be driven by political motives when committee membership was primarily about fiscal input.*
 - (3) *John stated tat he'd be open to input on selection, because it's important that we get the right fit.*
 - (4) *Carole Schilz's recommendation was to select an individual who wasn't a political figure, but that had business experience. The rest of the Board was in agreement.*
- b) Local Ordinance Adoption – Second Reading
 - i) *Consideration of Exemption for Accessory Dwelling Units*
 - ii) *Due to TOML 1/27/20 for ratification on 2/5/20*
 - iii) *Chief Frievault reported that we postponed the second reading of the Ordinance for a citizen who asked for an exemption on accessory dwelling units (ADUs). He said that he had met with Natalie Morrow, and Natalie stated that she had called the citizen, but hadn't received a response back or any additional information.*
 - iv) *Chief Frievault and Natalie's recommendation with respect to ADUs was that they not be exempted from the WUI code. Chief Frievault stated that it doesn't make sense to build a non-WUI addition to a structure that is also non-WUI. In his opinion, you'd just be adding more structure that's not hardened, and that's at high risk for fire. Chief reiterated that he would not recommend allowing the exemption.*
 - v) *John Mendel asked if the Board needed to vote on the Ordinance as it stands, to which Chief Frievault replied, yes. The second reading doesn't have any changes if we don't exempt anything.*
 - vi) *Roger Curry moved to adopt the Local Ordinance 2020-01, Carole Schilz seconded, and the Board voted unanimously to approve it and submit it to TOML for ratification on 2/5/2020.*
- c) MOU Negotiations
 - i) *Timeline (Page 12) – Chief Frievault reviewed the timeline that was included in the agenda packet.*
 - ii) *Progress – Chief Frievault said that from the end of August through Thanksgiving, he and the Association did an initial mark-up of the MOU, and that the intent has been to begin to work through the individual articles in 2 steps:*
 - (1) *Non-monetary: The group is working through those articles now.*
 - (2) *Monetary: These articles will be addressed once we know the outcome of Measure F.*

- iii) *Chief Frievalt also stated that the Board ratification of the new MOU would be held in closed session.*
 - iv) *Mike McCarthy, Co-President of the Association, also commented that the current meetings were focused on wrapping up items with non-financial implications.*
- d) *Measure F (Pages 13 – 19) – Chief Frievalt reviewed the two documents in the agenda packet, one of which was an information sheet for public distribution, and the other of which was an internal Q&A sheet so our staff would be sufficiently informed to respond to questions.*
 - i) *The District continues to meet with groups to provide educational information, proactively and by request.*
 - ii) *Advocacy for the Measure is being accomplished on a voluntary basis through the Board and citizens and other organizations in the community. Discussion on advocacy efforts to be done separate from District business.*
 - (1) *Rick Liebersbach recommended that Measure F be discussed outside of Board meetings and the fire stations in general.*
 - (2) *John Mendel had a legal question for Rick. He wanted to know how defensible the rhetorical statement, “I’m speaking as a public citizen, not as your Fire Chief,” was. Rick replied that it’s very defensible if it’s a statement made in public, outside of work.*
 - iii) *Chief Frievalt said that the Town Council was requesting a presentation from the Board on Measure F, and that he would be available for any questions the Board couldn’t respond to. There was discussion on whether the presentation would be part of “Public Comment” at the meeting, or whether it would be agendized. Rick Liebersbach recommended that it be done under Public Comment; however, John Mendel believed that some council members were trying to create awareness about the Measure by placing it on the agenda. If the Town Council plans to publicly support Measure F, then they would have to vote, in which case the item would have to be agendized. Ales Tomaier asked Rick if Chief Frievalt should work with Town Council to place the Measure F presentation on the agenda, and Rick said, yes. John Mendel stated that Mono County Supervisor Stacy Corless recommended that the presentation take place at the joint Town Council and Mono County Board of Supervisors meeting on February 18th. Stacy also recommended that someone attend the Ballots and Brews event at Mammoth Brewery on Wednesday, February 12th.*
- e) *Regional Communication Project*
 - i) *Three strands of interrelated work – Chief Frievalt reviewed the items below.*
 - (1) *Radio System – LTE Network coverage and LMR System coverage; continuing collaboration with FirstNet/AT&T, Mono County, MLFPD, and TOML.*
 - (a) *Chief Frievalt stated that he’s trying to work on the infrastructure for LTE and LMR.*
 - (2) *Regional Dispatch – Mono County, TOML, Bishop, Inyo County, and Mono County Fire Chiefs Association; CalOES regional study in progress.*
 - (3) *Dispatch Service – No substantial progress*
 - (a) *Chief Frievalt stated that in Mono County we have a very law enforcement centered dispatch. This has caused increasing levels of frustration, particularly when it comes to firefighter safety.*

(4) *Carole Schilz asked if the new system would address all three items above, to which Chief Frievalt replied, yes, new devices can use both LMR and LTE frequencies, and with that available, you wouldn't have to build two separate systems—radio and cell. You would also be able to cost share more. Chief Frievalt stated that MLFD has been working with Mono County now, and the system has tremendous applications. He also stated that we may be the one of the first places in the country to implement a system like this, so there will be risk. However, he feels that there is more risk if we don't change over. The potential for failure with the old system, he said, is certain.*

8) NEW BUSINESS – *None*

9) REPORTS, REQUESTS, AND COMMUNICATIONS FOR BOARD REVIEW – *None*

10) DISTRICT CHIEF COMMENTS

- a) *Thank you letter to the Gottwald Trust for supporting the Drone Program (Page 20) – Chief Frievalt told the Board about a donation from the Gottwald Trust in support of the Drone Program, and thanked Scott Walker for responding to the Gottwald family with a letter, which was included in the agenda packet.*
- b) *First meeting with TOML on evacuation planning for Mammoth Lakes*
 - i) *EMPG \$15,000 funding to support traffic analysis*
 - ii) *TOML access to real-time “cell” data – Chief Frievalt stated that the Town could potentially retrieve location information from cell phones in our area during an evacuation, which would identify where the majority of the traffic was, which areas were congested, which exit routes were clear, etc. This could help our emergency response agencies reroute people if needed.*
 - iii) *Chief Frievalt said that the Paradise Fire had the most extensive evacuation plan he had ever seen, and they completed the plan right before the fire. However, Chief Frievalt said that the fire was too much for their plan.*
 - iv) *Chief Frievalt also commented that he had been working with Cal OES on prepositioning if a serious fire was projected. He explained that MLFD can request that resources be prepositioned so response times will be quicker. He said that the goal is to extend this practice so that we're also able to preposition law enforcement in our area.*
- c) *WUI Resiliency Workshop – Split travel expenses (Page 21) – Chief Frievalt reviewed the email from Amanda Kimball at NFPA regarding his travel expenses for the WUI workshop, and how by splitting the expenses, he was saving the District some money.*

11) BOARD MEMBER COMMENTS – *Roger Curry asked about the Mono County grant for traffic control. He believes it reinforces the perception that we'll have a catastrophic fire at some point. Chief Frievalt responded by encouraging everyone in the room to watch the Paradise documentary. He also discussed temporary refuge areas (TRAs), which were in the Paradise evacuation plan.*

12) LEGAL COUNSEL ADVICE – *None*

13) MLFPD ASSOCIATION COMMENTS – *None*

14) ANNOUNCEMENTS

- a) *Caroline Sanderson announced that the Chase credit card limit had been raised to \$25,000 and thanked Bret Bihler for working with her and Chase Bank.*

15) ADMINISTRATIVE BUSINESS

- a) *Next Meeting – The next Board of Commissioners meeting will be held on Tuesday, February 18, 2020 at 12:00PM. Bret Bihler announced that he would be absent.*
- b) *Status of signature cards at Union Bank – The commissioners reported that they had all completed their signature cards.*

16) ADJOURNMENT – *The meeting adjourned at 1:35PM.*